

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4981 of 2015**

1. Komarl Yadu, S/o Shri Ganbhir Yadu, aged about 51 years.
2. Manoj Sahu, S/o Shri Devendra Sahu, Aged about 26 years.
Both R/o Village Mohandi Tahsil & P.S. Magarlod, District
Dhamtari (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through: Police Station Magarlod, Distt.
Dhamtari (C.G.)

---- Non-applicant

For Applicant:	Mr. Dheerendra Pandey, Advocate.
For Respondent/State:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/09/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No. 25/2015 registered at Police Station Magarlod, District-Dhamtari, for the offences punishable under Sections 147, 186, 342, 332, 353, 294 & 323 of the Indian Penal Code and Sections 3 & 5 of the Prevention of Damage to the Public Property.

(2) Case of the prosecution, in brief, is that on 4.2.2015 applicant & other co-accused persons used criminal force to deter the public servant from discharging his official duties and also caused damage to the public property and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He would further submit that co-accused persons namely Maheshwar Das Manikpuri & Yaadram Kanwar have already been granted regular bail by this Court vide order dated 04.08.2015 in M.Cr.C. No. 3713/2015 and, therefore, the present applicants may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who have already been granted regular bail by this Court vide order dated 04.08.2015 in M.Cr.C. No. 3713/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused persons have already been granted regular bail by this Court vide order dated 04.08.2015 in M.Cr.C. No. 3713/2015 and the applicant is in jail since 25.06.2015; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants **Komal Yadu & Manoj Sahu** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-